

# **Exhibit “E”**

HALF HOLLOW HILLS CENTRAL SCHOOL DISTRICT

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In the Matter of Disciplinary Charges  
Preferred by Dr. Patrick Harrigan,  
Superintendent of Schools of the  
Half Hollow Hills Central School District against

ROBERT PERRY

**STATEMENT  
OF CHARGES**

Pursuant to the Provisions of Section 75  
of the New York Civil Service Law.

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TO: Mr. Robert Perry  
2579 Overlook Place  
Baldwin, NY 11510

In accordance with the provisions of Section 75 of the Civil Service Law of the State of New York, Dr. Patrick Harrigan, Superintendent of Schools of the Half Hollow Hills Central School District ("District"), has preferred the following charges against you:

**CHARGE I**

**YOU ARE HEREBY CHARGED WITH MISCONDUCT AND/OR INCOMPETENCE**

**Specification 1:** During the months of September 2017, through and including, December 2017, you engaged in a course of conduct in which you refused and/or were unable to carry out your responsibilities as a paraprofessional, pursuant to training and directives given to you by various district staff and a district administrator.

**Specification 2:** The responsibilities referred to in Specification 1 which you refused and/or were unable to carry out included, but were not necessarily limited to:

- a. Taking proper notes regarding the behavior of disabled students in order to enable the District to conduct behavioral analyses for such students and

devise appropriate intervention plans.

- b. Making sure that notes regarding student behavior include the date and time of the behavior, examples of the antecedent, a description of the behavior, and the consequence for inappropriate behavior.
- c. Never removing a student's behavior notes from school premises.

**Specification 3:** On various dates during the period of September 2017 through November, 2017, you failed to take proper notes regarding the behavior of the disabled student to whom you were assigned.

**Specification 4:** On or about October 26, 2017 you wrote an inappropriate note in the data sheets for the disabled student to whom you were assigned, entering in the notes, in words or substance, "Miley Cyrus is calling."

**Specification 5:** In or about October 2017, you used your assigned student's data collection sheets to record your personal observations and/or criticisms of a classroom teacher.

**Specification 6:** In or about October 2017, you made notes in the data sheets for a disabled student to whom you were assigned that were unrelated to the student's progress and/or behavior.

**Specification 7:** On various dates during the period of October 2017 through December 1, 2017, you took inadequate notes or failed to take any notes regarding the behaviors of your assigned student, A.B., during the student's fifth period Global History class, which behaviors included engaging in arguments, making inappropriate comments, becoming agitated during class, coming to class without school supplies, being unable to find his assignments, missing class, and on one occasion masturbating in class.

**Specification 8:** On various dates during the period of October 2017 through December 1, 2017,

you maintained personal possession of your behavioral notes regarding your assigned student, A.B., making the notes inaccessible to the student's team.

**Specification 9:** On various dates during the period of September 2017 through December 1, 2017, you took the binder containing the behavioral notes for your assigned student, A.B., off school property.

**CHARGE II  
YOU ARE HEREBY CHARGED WITH MISCONDUCT**

**Specification 1:** During the 2017-2018 and 2018-2019 school years, you engaged in a course of conduct in which you failed to properly assist and/or supervise the disabled student to whom you were assigned.

**Specification 2:** On a daily or near-daily basis from about October 2017 through December 1, 2017, while you were assigned to work with a disabled student, A.B., on a one-to-one basis, you used your cell phone during the student's fifth period Global History class.

**Specification 3:** On various dates during the period of October 2017 through December 1, 2017, while you were assigned to work with a disabled student, A.B., on a one-to-one basis, during the student's fifth period Global History class, you refused to follow the classroom's teacher's directive to sit in close proximity to your assigned student.

**Specification 4:** On various dates during the period of October 2017 through December 1, 2017, while you were assigned to work with a disabled student, A.B., on a one-to-one basis during the student's fifth period Global History class, you arrived after the start of class.

**Specification 5:** As a result of your conduct described in Specifications 1 through 4, there were multiple occasions when you were unable to respond to your assigned student's conduct, which

required the teacher to address the student's behavior.

**Specification 6:** As a result of your conduct described in Specifications 1 through 4, there were multiple occasions when you failed to notice and/or react when your assigned student fell asleep, requiring the teacher to intervene.

**Specification 7:** As a result of your conduct described in Specifications 1 through 4, there were multiple occasions when you failed to help the student find his class materials, requiring the teacher to intervene.

**Specification 8:** On or about November 9, 2017, while you were assigned to work on a one-to-one basis with a disabled student, A.B., during the student's third period English 9 class, you disrupted the class when you argued with your student regarding an incident from earlier in the day.

**Specification 9:** During the incident referred to in Specification 8, you threatened your assigned student, stating in words or substance, "I'm going to get you!" in the presence of the classroom teacher and other students.

**Specification 10:** During the incident referred to in Specifications 8 and 9, you refused to follow the directive of the teacher to leave the classroom, and continued to argue with the student.

**Specification 11:** On November 30, 2017, after you failed to position yourself in close proximity to your assigned student during the student's fifth period Global History class, you failed to notice and/or react when the student began to masturbate in class.

**Specification 12:** On an unspecified date in December 2017, you were not with your assigned student, A.B., and the student became involved in an altercation in the cafeteria, prior to the Global History class.

**Specification 13:** On an unspecified date during or about January 2018, while you were assigned

to work with a disabled student, M.Z., on a one-to-one basis during the student's eighth period Life Skills class, you stopped providing any assistance to your assigned student, and instead began to review your personal papers.

**Specification 14:** During the events referred to in Specification 13, you refused to put away your personal papers after being directed by the classroom teacher to do so.

**Specification 15:** On an unspecified date during or about January 2018, while you were assigned to work with a disabled student, M.Z., during the student's eighth period Life Skills class, you refused to comply with a directive from the teacher to put your cell phone away.

**Specification 14:** On or about January 30, 2018, at the end of the school day, while you were assigned to be with a disabled student, you were observed by an administrator and staff, talking to a security guard instead of watching the student, and let the student out of your sight.

**Specification 15:** On one or more dates during the 2017-2018 school year, you fell asleep while you were assigned to monitor students on a school bus.

**Specification 16:** On or about September 28, 2018, while you were assigned to work with a student J.L., on a one-to-one basis during third period math class, you failed to attend class with your assigned student on the day of a test, causing the student to become upset, and disrupt the class.

**Specification 17:** After the events described in Specification 16, you lied to the classroom teacher and an administrator when you stated that you could not come into the classroom because there were no seats available.

**Specification 18:** On or about September 28, 2018, you failed to follow an assignment given to you to escort a brain injured student, G.B., to class five minutes before the scheduled time for classes to change, and instead escorted the student during a time when the hallways were filled with

students.

**CHARGE III**  
**YOU ARE HEREBY CHARGED WITH MISCONDUCT**

**Specification 1:** During the 2017-2018 and 2018-2019 school years, you engaged in a course of conduct in which you were insubordinate and/or threatening and/or otherwise inappropriate towards other staff members and supervisors.

**Specification 2:** On various dates during the period of September 2017 through November 2017, you frequently argued with one or more teachers about complying with teachers' directives.

**Specification 3:** On various dates during the period of September 2017 through November 2017, you inappropriately commented, in words or substance, to another staff member, as follows:

- a. That you did not like to be told what to do.
- b. That you were angry with a teacher for giving you directives.

**Specification 4:** On various dates during the period of October 2017 through December 1, 2017, while you were assigned to work with a disabled student, A.B., on a one-to-one basis during the student's fifth period Global History class, you refused to follow the classroom teacher's directive to sit in close proximity to your student.

**Specification 5:** On various dates, during the period of October 2017 through December 1, 2017, in several different classes, you used your cell phone during class, requiring the classroom teacher to tell you to stop using your cell phone.

**Specification 6:** On various dates during the period of October 2017 through December 1, 2017, while you were assigned to work with a disabled student, A.B., on a one-to-one basis during the student's fifth period Global History class, you refused to follow the classroom teacher's directive

to stop using your cell phone.

**Specification 7:** On or about November 9, 2017, you failed to follow the directive of the teacher to leave the classroom, after you became engaged in a verbal argument with your assigned student, A.B.

**Specification 8:** On or about December 5, 2017, after learning that a teacher had complained about you, you went to the teacher's location, despite the fact that you had no legitimate purpose to be there, and stared at her.

**Specification 9:** On an unspecified date during or about January 2018, while you were assigned to work with a disabled student on a one-to-one basis during the student's eighth period Life Skills class, you refused to put away your personal papers after being directed to do so by the classroom teacher.

**Specification 10:** On an unspecified date during or about January 2018, while you were assigned to work with a disabled student, M.Z., on a one-to-one basis during the student's eighth period Life Skills class, you refused to comply with a directive from the teacher to put your cell phone away.

**Specification 11:** On or about February 12, 2018, you lied to administrators when you denied asking a female paraprofessional to contact you if she decided to leave her husband, and you lied when you claimed that she asked you to "train" her.

**Specification 12:** During the conversation referred to in Specification 11, you further lied to administrators when you told them that the female staff member had told you that she had been forced to make up allegations of misconduct about you.

**Specification 13:** On an unspecified date sometime during the period of December 2017 through and including February 2018, you stared at the chest of a female teacher, T.G., and made a comment



about her shirt, causing the teacher to become uncomfortable.

**Specification 14:** On an unspecified date in November or December 2017, while you were assigned to work with a disabled student during the student's fifth period Global History class, you attempted to engage a female teacher, T.G., in a conversation about dating websites during instructional time, causing the teacher to become uncomfortable.

**Specification 15:** On or about October 4, 2018, after learning that T.G. had complained about your behavior, you went to T.G.'s classroom despite the fact that you had no legitimate purpose to be there, and stared at the teacher through the classroom door window, causing the teacher to become uncomfortable.

**Specification 16:** In or about April 2018, you engaged in a course of conduct toward a female paraprofessional, S.A., that was threatening, intimidating and/or otherwise inappropriate.

**Specification 17:** In or about April 2018, while in the copy room, you stared at S.A., in a manner which made her uncomfortable.

**Specification 18:** In or about April 2018, you stood very close behind S.A., for an extended period of time, although you had no legitimate purpose to be in such close proximity to her.

**Specification 19:** In or about April 2018, you brought your face close the face of S.A., and yelled at her.

**Specification 20:** In or about April 2018, you slammed a ream of paper down on a table next to S.A., causing her to feel scared.

**CHARGE IV  
YOU ARE HEREBY CHARGED WITH MISCONDUCT**

**Specification 1:** During the 2017-2018 and 2018-2019 school years, you engaged in a course of

conduct in which you repeatedly used your cell phone in a manner which violated building rules and/or directives that had been communicated to you.

**Specification 2:** On a daily or near-daily basis from about October, 2017 through December 1, 2017, while you were assigned to work with a disabled student, A.B., on a one-to-one basis during the student's fifth period Global History class, you used your cell phone in class.

**Specification 3:** On various dates during the period of October 2017 through December 1, 2017, while you were assigned to work with a disabled student, A.B., on a one-to-one basis during the student's fifth period Global History class, you refused to follow the classroom teacher's directive to stop using your cell phone.

**Specification 4:** On an unspecified date in or about January 2018, while you were assigned to work with a disabled student, M.Z., on a one-to-one basis during the student's eighth period Life Skills class, you used your cell phone in class.

**Specification 5:** On an unspecified date during or about January 2018, while you were assigned to work with a disabled student, M.Z., on a one-to-one basis during the student's eighth period Life Skills class, you refused to comply with a directive from the teacher to put your cell phone away.

**Specification 6:** On various dates during the month of September 2018, you repeatedly used your cell phone during the time when you were supposed to be working with your assigned student.

**Specification 7:** On or about September 28, 2018, while you were assigned to a work with a student J.L., on a one-to-one basis during the student's third period math class, you failed to attend class with assigned student to class on the day of a test, and were in another part of the building using your cell phone, causing the student to become upset, and disrupt the class.

You are allowed eight days to file an answer in writing to these charges. Such answer must be filed in the office of the District Clerk, located at the Administration Office, 525 Half Hollow Road, Dix Hills, NY 11746.

You are entitled to a hearing on the above charges, and to be represented at such hearing by an attorney. You should be prepared at such hearing to present such witnesses and other proof as you may have in your defense against the charges. The hearing will be conducted by Arthur Riegel, Esq., a hearing officer duly designated for that purpose by the Board of Education of the Half Hollow Hills Central School District in accordance with Section 75 of the Civil Service Law. The hearing will be held on December 20, 2018 at 9:30 a.m. in the District's Administration Office, 525 Half Hollow Road, Dix Hills, NY 11746.

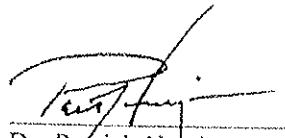
**YOU ARE HEREBY NOTIFIED THAT PENDING THE HEARING AND DETERMINATION OF THESE CHARGES, YOU ARE SUSPENDED WITHOUT PAY FROM YOUR POSITION FOR A PERIOD NOT EXCEEDING 30 DAYS FROM THE DATE OF SERVICE OF THIS STATEMENT OF CHARGES UPON YOU.**

**IN ADDITION, UNTIL FURTHER NOTICE, YOU ARE NOT PERMITTED ON ANY SCHOOL DISTRICT PROPERTY WITHOUT THE PRIOR PERMISSION OF THE SUPERINTENDENT OF SCHOOLS.**

If you are found guilty of any of the above charges, the penalty or punishment imposed upon you may consist of a reprimand, a fine not to exceed one hundred dollars, suspension without pay for a period not exceeding two months, demotion in grade and title, or dismissal from service.

All further notices and communications addressed to you in connection with these charges will be mailed to your most recent address on record with the District, which is 2579 Overlook Place, Baldwin, New York 11510, unless you request in writing that the same be sent to you at a different address.

Dated: Dix Hills, New York  
November 21, 2018

A handwritten signature in black ink, appearing to read "Patrick Harrigan", written over a horizontal line.

Dr. Patrick Harrigan  
Superintendent of Schools  
Charging Party